

104TH CONGRESS
1ST SESSION

H. R. 181

To improve coordination in the formulation of telecommunications policy within the executive branch, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1995

Mrs. COLLINS of Illinois introduced the following bill; which was referred to the Committee on Commerce

A BILL

To improve coordination in the formulation of telecommunications policy within the executive branch, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Telecommunications
5 Policy Coordination Act of 1995”.

6 **SEC. 2. DEFINITIONS.**

7 For purposes of this Act:

8 (1) The term “Committee” means the Advisory
9 Committee on Telecommunications Policy estab-
10 lished under section 10.

1 (2) The term “Office” means the Office of
2 Telecommunications Policy established in section 3.

3 (3) The term “Deputy Director” means the
4 Deputy Director of the Office appointed under sec-
5 tion 5(b).

6 (4) The term “Director” means the Director of
7 the Office appointed under section 5(a).

8 **SEC. 3. ESTABLISHMENT.**

9 There is hereby established in the Executive Office
10 of the President the Office of Telecommunications Policy.

11 **SEC. 4. FUNCTIONS.**

12 (a) IN GENERAL.—The Office, acting through the
13 Director, shall—

14 (1) take such action as may be necessary to
15 provide for the preparation of national telecommuni-
16 cations policy options;

17 (2) serve as the principal advisor to the Presi-
18 dent in matters relating to telecommunications is-
19 sues and policies;

20 (3) act as the arbiter of disputes and dif-
21 ferences which may arise between or among Govern-
22 ment agencies in connection with the development
23 and implementation of national telecommunications
24 policies;

1 (4) communicate the views of Government
2 agencies, as well as the views of the President, with
3 respect to telecommunications matters to the Fed-
4 eral Communications Commission, and communicate
5 the views of the President and Government agencies
6 (other than the Commission) to the Congress;

7 (5) monitor the development of new tele-
8 communications technologies, study the effects of
9 new telecommunications facilities, services, and sys-
10 tems, and make recommendations to the President
11 and to the Congress with respect to the introduction
12 of new technologies into the national economy; and

13 (6) perform such other functions vested in the
14 President relating to telecommunications as the
15 President may delegate to the Office.

16 (b) EFFECT ON FCC AUTHORITY.—The authority of
17 the Office under this Act shall not affect the authority
18 of the Federal Communications Commission under the
19 Communications Act of 1934 or the Satellite Communica-
20 tions Act of 1962.

21 (c) PRESIDENTIAL REGULATIONS.—The functions of
22 the Office under subsection (a) (3) and (4), and the cor-
23 responding obligations of other agencies affected there-
24 under, shall be in accordance with regulations which the
25 President shall prescribe.

1 **SEC. 5. DIRECTOR AND STAFF; ORGANIZATION OF OFFICE.**

2 (a) DIRECTOR.—The head of the Office shall be the
3 Director, who shall be appointed by the President, by and
4 with the advice and consent of the Senate. The Director
5 shall be paid at a rate equal to the rate of basic pay which
6 is payable from time to time for level II of the Executive
7 Schedule under section 5313 of title 5, United States
8 Code.

9 (b) DEPUTY DIRECTOR.—The Office shall have a
10 Deputy Director, who shall be appointed by the President,
11 by and with the advice and consent of the Senate. The
12 Deputy Director shall be paid at a rate equal to the rate
13 of basic pay which is payable from time to time for level
14 IV of the Executive Schedule under section 5315 of title
15 5, United States Code. The Deputy Director shall perform
16 such duties and exercise such powers as the Director may
17 prescribe. The Deputy Director shall act for, and exercise
18 the powers of, the Director during any absence or disabil-
19 ity of the Director or during any vacancy in the office of
20 Director.

21 (c) STAFF.—(1)(A) The Director may appoint not
22 more than two full-time professional staff members who
23 shall perform such duties as the Director may direct. The
24 Deputy Director may appoint not more than one such
25 staff member who shall perform such duties as the Deputy
26 Director may direct.

1 (B) The appointments specified in subparagraph (A)
2 may be made without regard to the provisions of title 5,
3 United States Code, governing appointments in the com-
4 petitive service. Such staff member may be paid without
5 regard to the provisions of chapter 51 and subchapter III
6 of chapter 53 of title 5, United States Code, relating to
7 classification and General Schedule pay rates. The Direc-
8 tor may fix the compensation of not more than one such
9 staff member at a rate not in excess of the maximum rate
10 payable from time to time for grade GS-18 of the General
11 Schedule under section 5332 of title 5, United States
12 Code. The remaining staff members appointed under sub-
13 paragraph (A) may be compensated at a rate fixed by the
14 Director or the Deputy Director, as the case may be, not
15 in excess of the maximum rate payable from time to time
16 for grade GS-16 of the General Schedule under section
17 5332 of title 5, United States Code.

18 (2) The Director may appoint and fix the pay of such
19 clerical and other support personnel as the Director con-
20 siders desirable. Such personnel shall be appointed subject
21 to the provisions of title 5, United States Code, governing
22 appointments in the competitive service, and shall be paid
23 in accordance with the provisions of chapter 51 and sub-
24 chapter III of chapter 53 of such title relating to classi-
25 fication and General Schedule pay rates.

1 (d) ORGANIZATION.—The Director may organize the
2 personnel of the Office into such bureaus, divisions, or of-
3 fices as the Director may consider necessary.

4 **SEC. 6. AUTHORITY AND FUNCTIONS OF DIRECTOR.**

5 (a) IN GENERAL.—The Director shall exercise all the
6 executive and administrative functions of the Office.

7 (b) ADDITIONAL AUTHORITY.—The Director—

8 (1) may obtain services as authorized in section
9 3109 of title 5, United States Code, at rates not to
10 exceed the daily rate prescribed for GS-18 of the
11 General Schedule under section 5332 of title 5,
12 United States Code, for persons employed intermit-
13 tently in Federal Government service;

14 (2) may delegate to the Deputy Director, or to
15 any other employee of the Office, any authority of
16 the Director established in this Act;

17 (3) shall prescribe such rules as may be nec-
18 essary to carry out the provisions of this Act;

19 (4) shall distribute business among any person-
20 nel appointed under section 5(c)(2), and among any
21 bureaus, divisions, or offices established under sec-
22 tion 5(d);

23 (5) shall administer the use and expenditure of
24 funds available to the Office;

1 (6) shall coordinate and organize the work of
2 the Office in order to promote prompt and efficient
3 disposition of all matters within the jurisdiction of
4 the Office; and

5 (7) shall assure appropriate consumer represen-
6 tation in connection with the development of policy
7 by the Office.

8 **SEC. 7. ADVISORY COMMITTEE.**

9 (a) ESTABLISHMENT.—The Director shall establish
10 an advisory committee to be known as the Advisory Com-
11 mittee on Telecommunications Policy.

12 (b) MEMBERSHIP.—The Committee shall consist of
13 members appointed by the Director from the general pub-
14 lic, including representatives of—

15 (1) various segments of the telecommunications
16 industry,

17 (2) labor organizations involved in such indus-
18 try, and

19 (3) public interest and consumer organizations.

20 (c) FUNCTIONS.—The Committee shall provide ad-
21 vice and recommendations to the Director on matters re-
22 ferred to it by the Director and on such other matters
23 relating to the functions of the Director as it considers
24 appropriate. Consistent with otherwise applicable law, the

1 Committee may make public any advice or recommenda-
2 tions it has provided to the Director under this subsection.

3 **SEC. 8. ANNUAL REPORTS; FCC REPORTS.**

4 (a) DUTY TO SUBMIT.—The Director shall, not later
5 than the 15th day of February following the end of each
6 fiscal year, commencing with the first complete fiscal year
7 following the effective date provided for in section 9, make
8 a report to the President for submission to the Congress
9 relating to the activities of the Office during the preceding
10 fiscal year.

11 (b) CONTENTS.—Each report made by the Director
12 under subsection (a) shall—

13 (1) describe actions taken by the Office in con-
14 nection with the preparation of national tele-
15 communications policies in accordance with section
16 4(1);

17 (2) identify and analyze emerging trends in
18 telecommunications; and

19 (3) include such other information as the Direc-
20 tor considers appropriate.

21 (c) COMMISSION RESPONSE TO OFFICE VIEWS.—In
22 any case in which the Office submits views to the Federal
23 Communications Commission under section 4(a)(4) and
24 the Commission takes any final action after such submit-
25 tal which is inconsistent with such views, the Commission

1 shall, within twenty days of such final action is taken, sub-
2 mit a report to the President and to the Congress setting
3 forth the reasons therefor.

4 **SEC. 9. EFFECTIVE DATE.**

5 The provisions of this Act shall take effect ninety
6 days after the date of the enactment of this Act.

